

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DEBRA BEYAH,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

CIVIL ACTION NO. 1:06-CV-659

JURY DEMANDED

***CONSENT MOTION FOR ENLARGEMENT OF TIME
TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT***

Defendant Wal-Mart Stores, Inc. ("Defendant" or "Wal-Mart"), with the consent of Plaintiff Debra Beyah ("Plaintiff"), respectfully moves the Court for a 14-day extension of time, through and including September 5, 2006, to answer or otherwise respond to Plaintiff's Complaint. In support of this motion, Defendant respectfully shows the Court as follows:

1.

On August 2, 2006, Wal-Mart was served with a copy of the Summons and Complaint in this action. (Docket ("Dock.") No. 4.) Pursuant to Fed. R. Civ. P. 6 and Fed. R. Civ. P. 12, Defendant's answer or other response to Plaintiff's Complaint is currently due on August 22, 2006. (*See also* Dock. No. 4.)

2.

Good cause exists for extending the time within which Wal-Mart may answer or otherwise respond to Plaintiff's Complaint, as Wal-Mart requires limited additional time to investigate the allegations contained in Plaintiff's Complaint and to prepare its responsive pleading. If the Court

grants Defendant's request, Defendant's response to Plaintiff's Complaint would be due on or before September 5, 2006.

3.

Pursuant to Fed. R. Civ. P. 6(b)(1), Defendant makes this request prior to the expiration of the original period within which to respond to Plaintiff's Complaint.

4.

Counsel for Wal-Mart conferred with Plaintiff's counsel, Temple D. Trueblood, and counsel for Plaintiff consented to the requested enlargement of time.

WHEREFORE, Defendant respectfully requests that the Court grant a 14-day extension of time, through and including September 5, 2006, for Defendant to answer or otherwise respond to Plaintiff's Complaint in the above-referenced case.

This 9th day of August 2006.

s/ Charlotte K. McClusky, Esq.

Charlotte K. McClusky

ASB-5296A57M

Attorney for Wal-Mart Stores, Inc.

LITTLER MENDELSON

A Professional Corporation

3348 Peachtree Road, NE

Suite 1100

Atlanta, GA 30326-1008

Telephone: (404) 233-0330

Facsimile: (404) 233-2361

Email: cmccclusky@littler.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DEBRA BEYAH,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

CIVIL ACTION NO. 1:06-CV-659

JURY DEMANDED

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2006, I electronically filed the foregoing ***Consent Motion For Enlargement Of Time To Answer Or Otherwise Respond To Plaintiff's Complaint*** with the Clerk of the Court using the CM/ECF system which will provide notice to the following: Ann C. Robertson, Temple D. Trueblood, and Bobbie S. Crook.

s/ Charlotte K. McClusky, Esq.
ASB-5296A57M
Attorney for Wal-Mart Stores, Inc.

LITTLER MENDELSON, P.C.
3348 Peachtree Road, NE
Suite 1100
Atlanta, Georgia 30326-1008
Telephone: (404) 233-0330
Facsimile: (404) 233-2361
E-mail: cmccclusky@littler.com

Firmwide:81374945.1 015602.4972